

02-0-0468

(Do Not Write Above This Line)

AN ORDINANCE BY *Felicia A. Moore*
COUNCILMEMBERS *Felicia A. Moore*
AND H. LAMAR WILLIS *H. Lamar Willis*

AN ORDINANCE AMENDING DIVISION 4
OF THE CODE OF ORDINANCES SO AS
TO REQUIRE THE SUNSET OF ALL
RESOLUTIONS AUTHORIZING
CONTRACTS, CONTRACT RENEWALS
AND NOTICES TO PROCEED ON THE
61ST CALENDAR DAY AFTER THE
DATE OF ADOPTION; PROVIDING FOR
RECONSIDERATION OF SAID
RESOLUTIONS AND
REAUTHORIZATION BY COUNCIL;
REQUIRING LANGUAGE THAT SHALL
BE ADDED TO ALL AUTHORIZING
RESOLUTIONS AND BID DOCUMENTS;
AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

03/04/02

Referred To:

Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE BY COUNCIL MEMBERS  FELICIA A. MOORE
AND H. LAMAR WILLIS 

AN ORDINANCE AMENDING DIVISION 4 OF THE CODE OF ORDINANCES SO AS TO REQUIRE THE SUNSET OF ALL RESOLUTIONS AND ORDINANCES AUTHORIZING CONTRACTS, CONTRACT RENEWALS AND NOTICES TO PROCEED ON THE 61ST CALENDAR DAY AFTER THE DATE OF ADOPTION; PROVIDING FOR RECONSIDERATION OF SAID RESOLUTIONS AND ORDINANCES AND REAUTHORIZATION BY COUNCIL; REQUIRING LANGUAGE THAT SHALL BE ADDED TO ALL AUTHORIZING RESOLUTIONS AND ORDINANCES AND BID DOCUMENTS; AND FOR OTHER PURPOSES.

Whereas, it has been a practice in the city that contracts (contract renewals and notices to proceed) authorized by council are not being executed in a timely manner, and

Whereas, this practice has hampered the council's ability to fulfill its oversight role in tracking the authorization and execution of contracts; and

Whereas, this practice may allow previously authorized contracts to continue performing under their original agreements, after the council has authorized a new contract that is in the best interest of the city; and

Whereas, a delay in the execution of a contract (contract renewal or notice to proceed) may cause harm to those who have been granted said authorization; and

Whereas, The council shall establish policy to provide for the timely execution of contracts that have been authorized.

THEREFORE, IT IS HEREBY ORDAINED BY THE ATLANTA CITY COUNCIL:

Section 1. That a new section be added to Division 4 Source Selection and Contract Formation to read:

"Section 2-1207 Contract Renewals and Notices to Proceed

1. All resolutions and ordinances authorizing contracts (contract renewals or notices to proceed) shall sunset on the 61st calendar day after the date of adoption.
 - a.) All contracts (contract renewals or notices to proceed) shall be executed, with all required signatures, on or before 60 calendar days from adoption of the resolution or ordinance granting such authorization.
 - b.) Any contract (contract renewal or notice to proceed) executed after 60 calendar days from adoption of the authorizing resolution or ordinance, shall be null and void.

- c.) The mayor or her/his designee may resubmit a contract (contract renewal or notice proceed) that has not been executed by the 60th calendar day from its adoption, for reconsideration and reauthorization of council.
 - d.) The mayor or her/his designee shall submit any contract modifications and, justification as to the delay of the contract's (contract renewal or notice to proceed) execution to the council for consideration.
 - e.) The council may reauthorize said contract, or take other appropriate action, on a case-by-case basis.
2. All resolutions and ordinances granting authorization to enter into a contract (contract renewal or notice to proceed) shall contain a Section that states:

"This resolution (or ordinance) granting authorization to enter into a contract (contract renewal or notice to proceed) shall sunset on the 61st calendar day after the date of adoption. No contract (contract renewal or notice to proceed) shall be executed after 60 calendar days from the adoption of this resolution (ordinance). Any contract (contract renewal or notice to proceed) that is executed after 60 calendar days from the adoption of this resolution or (ordinance) shall be null and void."

3. The purchasing agent shall include in all bid documents and request for qualification and proposals, the following language:

"The council shall grant authorization to enter into a contract (contract renewal or notice to proceed). The resolution or ordinance granting said authorization shall sunset on the 61st calendar day after its adoption. No contract (contract renewal or notice to proceed) shall be executed after 60 calendar days from the adoption of the authorizing resolution or ordinance. Any contract (or notice to proceed) executed more than 60 calendar days from the adoption of said resolution or ordinance, shall be null and void."

Section 2: That the present 2-1207 and subsequent sections shall be re-numbered accordingly.

Section 3: That all ordinances or parts of ordinances, in conflict, are hereby repealed.